

From the Upper Chamber



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Report for Wednesday, February 22, 2006

The twenty-second day of the 2006 legislative session was called to order by Lieutenant Governor **Mark Taylor**.

Senator **Dan Moody** of the 56th stated that the journal had been read and was found to be correct.

Senate Bills 581-583; Senate Resolutions 954, 955 961; and House Bills 535, 832, 983, 1055, 1236, 1241, 1343-1347, 1350, 1351 and 1354 were read for the first time and assigned to their respective Committees.

Following the reports of Standing Committees and the second reading of Bills and Resolutions, the morning roll call was taken.

Lt. Gov. **Taylor** then recognized Sen. **Jim Whitehead, Sr.** of the 24th to lead the Senate in the Pledge of Allegiance. Sen. **Whitehead** introduced the *Chaplain of the Day*, Coach **Mark Richt** of the University of Georgia, who led the Senate in the daily devotional.

President Pro Tempore **Eric Johnson** of the 1st moved to reorder the calendar. Without objection, the motion carried.

The Secretary then read SR 639, and Sen. **Mitch Seabaugh** of the 28th took the well to present the measure, which dedicates the *Sgt. Mike Stokely Memorial Highway* in Fayette County.

SR 639 was adopted by a vote of 45 to 0.

The Secretary read SR 864, and Sen. **John Douglas** of the 17th took the well to present the measure, which dedicates the *Sgt. Mike Stokely Memorial Highway* in Newton and Walton counties.

The Local Consent Calendar, consisting of SB 518 and 519, passed by a vote of 44 to 0.

SR 864 was adopted by a vote of 50 to 0.

SR 857 was read, and Sen. **Douglas** was joined at the rostrum by Senators **Ronnie Chance** of the 16th, **Jack Hill** of the 4th, **Seth Harp** of the 29th, **Cecil Staton** of the 18th, **Steve Thompson** of the 33rd, **Ross Tolleson** of the 20th and Adjutant General **David Poythress** to honor the Georgia National Guard and recognize today as Georgia National Guard Day.

SR 943 was then read. Sen. **Hill** spoke to the resolution, which declares support for dedicating the Statesboro Armory to the memory of Brigadier General **Terrell T. Reddick**.

Sen. **Jeff Chapman** of the 3rd was recognized to introduce the *Doctor of the Day*, Dr. **Harold Kent** of St. Simons Island.

The Secretary then read SR 819 and 820 and Sen. **Tim Golden** of the 8th took the well to speak to the resolutions. SR 819 commends the Lowndes High School Viking football team on winning the 2005 AAAAA State Championship. SR 820 commends the Lowndes High School Georgia Bridgemen Band.

SR 662 was read and Sen. **Golden** returned to the well to speak to the resolution, which commends police chief **C. Frank Simons** of Valdosta.

There were no Points of Personal Privilege.

Sen. **Jeff Mullis** of the 53rd moved that SB 301 be withdrawn from the Judiciary Committee and recommitted to the Public Safety and Homeland Security Committee. Without objection, the motion carried.

Sen. **Douglas** moved that SB 402 be withdrawn from the Public Safety and Homeland Security Committee and recommitted to the Veterans and Military Affairs Committee. Without objection, the motion carried.

SR 948-953, 956-960 were read and adopted.

SB 288 was read, and Sen. **Chip Rogers** of the 21st took the well to present the bill, which enacts the *Grade Integrity Act of 2005*. The bill provides that no classroom teacher shall be required, coerced, intimidated or disciplined in any manner to change the grade of a student.

Sen. **Thompson** of the 33rd took the well to speak to his concerns about certain sections of the bill and a proposed amendment. He yielded to questions from Sen. **Rogers**.

The Senate suspended so that the amendment could be printed.

Sen. **Thompson** returned to the well to speak to his amendment, which clarifies language relating to penalties.

The amendment was adopted by a vote 37 to 0.

The Committee Substitute was adopted by a vote of 38 to 0.

SB 288 passed by substitute as amended by a vote of 50 to 0.

The Secretary then read SB 406. Sen. **Ralph Hudgens** of the 47th took the well to present the legislation, which relates to life settlements so as to revise certain definitions; to provide additional grounds for the suspension, revocation or refusal to renew the license of life insurance producers.

Sen. **Harp** took the well to speak against the bill. He yielded to questions from Sens. **Robert Brown** of the 26th, **Thompson** of the 33rd and **David Shafer** of the 48th.

Sen. **Hudgens** returned the well to respond to the objections and to urge support of the bill. He yielded to questions from Sens. **Thompson** of the 33rd and **Harp**.

Sen. **Thompson** of the 33rd moved to table the bill. Sen. **Hudgens** objected.

The bill was tabled by a vote of 22 to 21.

The Secretary then read SB 424, which provides that a student whose parent is in military service is granted excused absences from school to visit with his or her parent prior to deployment or while on leave. Sen. **Chance** took the well to present the bill.

The Committee Substitute was adopted by a vote of 37 to 0.

SB 424 passed by substitute by a vote of 49 to 0.

SB 462 was read and Sen. **Joseph Carter** of the 13th took the well to explain the bill. The bill is designed to place courthouse security under the authority of the sheriff and to require a courthouse security plan, which shall be subject to the approval of the chief superior court judge. He yielded to questions from Sens. **John Wiles** of the 37th, **Terrell Starr** of the 44th and **Brian Kemp** of the 46th.

SB 462 passed by a vote of 52 to 1.

The Secretary read SB 474, which provides for the establishment of school health advisory councils to serve as advisory bodies to local boards of education on health, physical education and nutrition. The bill also establishes standards for the certification or designation of PE teachers, who would be sufficiently prepared to effectively administer a physical education program. In addition, the legislation provides for an office within the State Board of Education that will be staffed by certified PE personnel, which would be charged with implementing the provisions of the bill and ensuring that each school district has an approved PE program. Sen. **Carter** took the well to present the bill. He yielded to questions from Sens. **Vincent Fort** of the 39th and **Emanuel Jones** of the 10th.

Sen. **Thompson** of the 33rd took the well to oppose the bill. He yielded to questions from Sens. **Renee Unterman** of the 45th and **Douglas** of the 17th.

Sen. **Kemp** took the well to speak to Amendment 1, which deletes language in Georgia code dealing with school bus routes. He yielded to questions from Sen. **Unterman**.

Sen. **Steve Henson** of the 41st requested a ruling from the chair on the germaneness of the Amendment. Lt. Gov. **Taylor** ruled that the Amendment was not germane.

The Committee Substitute was adopted by a vote of 32 to 0.

SB 474 passed by Substitute by a vote of 42 to 7.

Sen. **Nancy Schaefer** of the 50th moved that SB 485 be dropped to the foot of the calendar. Without objection, the motion carried and the bill was dropped.

Lt. Gov. **Taylor** then recognized and introduced Dr. **David Satcher**, former U.S. Surgeon General and interim president of Morehouse School of Medicine, who brought greetings to the Senate.

With President Pro Tempore **Johnson** now presiding, SB 486 was read. Sen. **Don Balfour** of the 9th took the well to present the bill, which relates to the definition of employment under the employment security law, so as to exempt direct sellers from the definition of employment.

SB 486 passed by a vote of 45 to 0.

Sen. **Balfour** moved that SB 489 be dropped to the foot of the calendar. Without objection, the motion carried.

Sen. **Bill Hamrick** of the 30th moved that SB 502 be dropped to the foot of the calendar. Without objection, the motion carried.

SB 525 was read, and Majority Leader **Tommie Williams** of the 19th took the well to present the bill, which changes certain provisions regarding the issuance of tax executions by tax collectors and tax commissioners.

SB 525 passed by a vote of 40 to 0.

The Secretary then read SB 525, which narrows the definition of nonprofit, tax-exempt organizations involved in bingo to prevent proceeds from leaving the State. Sen. **Mullis** took the well to explain the bill. He yielded to questions from Sens. **Preston Smith** of the 52nd, **Shafer** and **Thompson** of the 33rd.

SB 525 passed by a vote of 40-0.

Sen. **Don Balfour** moved that the Senate adhere to its position on HB 246 and that a Conference Committee be appointed. Without objection, the motion carried and Sens. **Balfour, Schaefer** and **Chip Pearson** of the 51st were appointed to serve on the Conference Committee.

The Secretary then read SB 244 and Sen. **Hudgens** took the well to present the bill, which creates the Magistrates Retirement Fund. He yielded to questions from Sen. **Steen Miles** of the 43rd.

The Committee Substitute was adopted by a vote of 34 to 0.

SB 244 passed by Substitute by a vote of 48 to 0.

HB 978 was read and Sen. **George Hooks** of the 14th took the well to present the bill, which creates the Capitol Art Standards Commission.

Sen. **Johnny Grant** of the 25th took the well in support of the bill.

The Committee Amendment was adopted by a vote of 34 to 0.

HB 978 passed by amended by a vote of 45 to 1.

Majority Leader **Williams** then moved that the Senate stand adjourned until Thursday, February 23, at 9:00 a.m.

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